

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re U.S. Patent Application of:

APPELLANT: Kim Simelius, et al.

SERIAL NO: 10/645,687

APPEAL NO: 2009-5095 FILING DATE: August 20, 2003

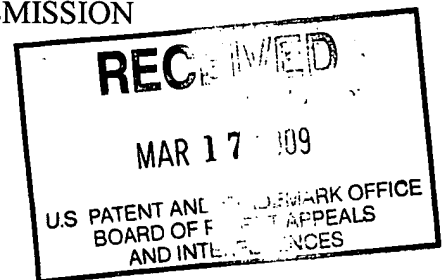
EXAMINER: Syed, Farhan M. ART UNIT: 2165

ATTORNEY'S DOCKET NO.: 879A.0048.U1(US)

CONFIRMATION NO.: 8280

TITLE: METHOD AND APPARATUS FOR DATA TRANSMISSION

Board of Patent Appeals and Interferences
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, Virginia 22313-1450



**REGARDING THE LIST OF APPELLANT SUBMITTED DOCUMENTS IN THE
PTOL-90A COMMUNICATION DATED MARCH 06, 2009**

This is paper in response to the March 06, 2009, PTOL-90A communication which included a Board of Patent Appeals and Interferences Docketing Notice that stated "A review of the file indicates that the following documents have been filed by appellant" and list the Appeal Brief filing on March 03, 2008, and None for a Reply Brief filed.

Appellant filed a Reply Brief on September 19 2008. Public PAIR shows that the Reply Brief was entered by the USPTO on September 22 2008. Furthermore, the USPTO noted the Reply Brief on the PTOL-90A communication mailed December 10 2008.

We request that you correct your records.

Appellant believes that no fee for filing this response to the March 06, 2009, PTOL-90A communication is due. If there are any deficiencies in payment, please charge deposit account no.: 50-1924 for any deficiency.

Respectfully submitted:

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CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. BOX 1450, Alexandria, VA 22313-1450.

March 12, 2009

Date

J. Droniak

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